

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BRARAILTY DOWDELL

Plaintiff,

v.

COMMUNITY COLLEGE OF PHILADELPHIA

Defendant.

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CIVIL NO. 15-cv-06806

**PLAINTIFF'S RESPONSE TO DEFENDANT COMMUNITY  
COLLEGE OF PHILADELPHIA'S MOTION FOR SUMMARY JUDGMENT**

Plaintiff Brarailty Dowdell, by and through his attorneys, hereby reply to the Motion for Summary Judgment of Defendant Community College of Philadelphia.

Summary Judgment should be denied because the elements for *prima facie* cases for discrimination exist with regard to Defendant's decision to deny Plaintiff hire for a full-time faculty position in the English Department. Plaintiff was qualified for the position and the test Defendant used to determine he was allegedly unqualified was subjective. Furthermore, the evidence of record permits an inference the decision was based on discrimination, and this evidence supports Defendant's reason was pretext to discrimination.

WHEREFORE, for the reasons set forth in the accompanying Memorandum of Law, Plaintiff Brarailty Dowdell respectfully requests this Honorable Court enter an Order denying the Motion for Summary Judgment of Defendant Community College of Philadelphia.

Respectfully submitted,  
**KRAEMER MANES & ASSOCIATES, LLC**

By: /s/ Christopher J. DelGaizo, Esquire  
CHRISTOPHER J. DELGAIZO, ESQUIRE  
Attorney for Plaintiff

Date: November 4, 2016